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March 26, 2008

**Via Fax: (212) 805-7920 and ECF**

The Honorable Judge Shira A. Scheindlin  
United States District Judge  
Southern District of New York  
United States Courthouse  
Room 1620  
500 Pearl Street  
New York, New York 10007

Re: Merchant Cash & Capital, LLC et al.  
07 CV 10345 (SAS) (AJP)  
Our File: D735

Dear Judge Scheindlin:

I represent the plaintiff and I write on behalf of both the plaintiff and the defendant to jointly request a two week adjournment of the scheduling order.

The new dates would be as follows:

	<u><b>Current</b></u>	<u><b>Proposed</b></u>
Plaintiff's Deposition	By 3/31/08	By 4/15/08
Defendant's Deposition	By 4/15/08	By 4/30/08
Initial Discovery	Completed	
Discovery Demand	Completed	
Expert Reports	By 6/30/08	By 7/14/08
Expert Depositions	By 7/30/08	By 8/13/08
Completion of Discovery	By 8/15/08	By 8/29/08
Completion of Non-Expert Discovery	By 5/30/08	By 6/11/08
Final Pretrial Conference	6/16/08 at 4:30 p.m.	6/30/08 at 4:30 p.m.

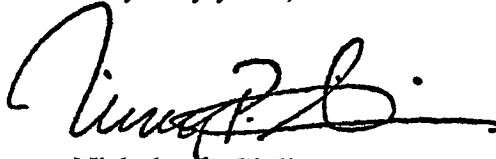
The parties are discussing settlement and would like to complete their discussions before starting depositions.

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The defendant consents to and joins in this request.

No prior application has been made for the relief requested herein.

Very truly yours,

A handwritten signature in black ink, appearing to read "Nicholas P. Giuliano", with a stylized flourish at the end.

Nicholas P. Giuliano

/bm

cc: **Via Fax: (212) 805-7933**  
Magistrate Judge Andrew J. Peck

**Via Fax: (212) 949-7052**  
Susan M. Smith, Esq.